

Appln. No. 10/505,389
Office Action dated March 25, 2005
Amdt. dated August 25, 2005

REMARKS

As a result of the foregoing amendments, Claims 1-14 have been cancelled and new Claims 15-30 have been added. Accordingly, Claims 15-30 are pending in this application. Examination and allowance of these pending claims are respectfully requested.

Claim Rejections Under 35 U.S.C. 102

Claims 1-4 have been rejected under 35 U.S.C. 102(b) as being anticipated by Coutre U.S. Patent No. 4,919,625. These claim rejections are respectfully traversed for the following reasons.

Claims 1-4 have now been canceled. The present invention, as claimed in new independent Claim 15, relates to a profiled rail assembly for a suspension device wherein a profiled rail (1) is fastened horizontally on a carrying structure (9) having a substantially vertical plane, such as a rear wall or panel. A carrier insertably engages the passage (10) defined by the profiled rail (1) and serves as a support on which articles can be suspended or set down for display, commercial and/or decorative use.

It is respectfully submitted that the Coutre reference does not anticipate the present invention as recited in new independent Claim 15. The Coutre reference relates to a track lighting apparatus carrying two independent power circuits. As such, the Coutre reference does not disclose elements of new independent Claim 15 (i.e., the carrier sized and shaped so as to engage the profiled rail, the hook groove extending upwardly from the passage, etc.). In view of the foregoing, applicants' attorney

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respectfully submits that the profiled rail assembly recited in new independent Claim 15 is patentably distinguishable from the track lighting apparatus disclosed in the Coutre reference. Because dependent Claims 16-30 depend from Claim 15, it is believed that Claims 16-30 are also patentably distinguishable from the Coutre reference.

It is respectfully submitted that new Claims 15-30 overcome the Examiner's prior art rejection of originally-filed Claims 1-4. In such circumstances, it is respectfully submitted that new Claims 15-30 are patentably distinguishable from the Coutre reference and are therefore in condition for allowance.

For the sake of good order, applicants' attorney notes that no new matter has been introduced in this application as the result of the addition of new Claims 15-30. Furthermore, support for new Claims 15-30 may be found throughout the originally-filed specification.

Objections to the Claims

With respect to the remaining originally-filed Claims 5-14, all of them were objected to, and not examined on their merits, because they were improper multiple dependent claims. Claims 5-14 have now been canceled. In such circumstances, it is respectfully submitted that the Examiner's objections have been obviated. Applicants' attorney notes that none of new dependent Claims 16-30 are improper multiple dependent claims.

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The Examiner also objected to informalities in originally-filed Claim 2. Claim 2 has now been canceled. In such circumstances, it is respectfully submitted that the Examiner's objections have been obviated.

Objections to the Specification

The Examiner objected to the term "attached panels 9" at page 9, line 26 of the application for being confusing. Applicants' attorney has now amended this part of the specification to read "carrying structure 9" to be consistent with the rest of the specification. In such circumstances, it is respectfully submitted that the Examiner's objection has been obviated.

Other amendments have also been made to the specification to correct typographical and formatting errors. Applicants' attorney notes that no new matter has been introduced in this application as the result of the foregoing amendments to the specification.

Information Disclosure Statement

The Examiner pointed out that the listing of references in the specification is not a proper Information Disclosure Statement. Applicants' attorney notes that an Information Disclosure Statement has been prepared and is being filed concurrently with this Amendment. It is respectfully requested that this Information Disclosure Statement be officially considered and made of record in connection with the present application.

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In view of the foregoing amendments and remarks, applicants and their attorney respectfully request the examination and allowance of Claims 15-30. If, however, such action cannot be taken, the Examiner is cordially invited to place a telephone call to applicants' attorney in order that any outstanding issue may be resolved without the issuance of a further Office Action.

Enclosed is a Petition for a two month extension of time to and including August 25, 2005, for which a \$450.00 fee is due. The Petition authorizes the Examiner to charge this \$450.00 fee to Deposit Account No. 503571. In the event there are any additional fees due and owing, including extension and petition fees, the Examiner is hereby authorized to charge them to Deposit Account No. 503571.

Respectfully submitted,

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